

From: David Clayman
To: Thompson, Darcie (USAFLS)
Subject: [EXTERNAL] Re: Response to Motion to Dismiss
Date: Tuesday, June 10, 2025 1:14:39 PM

Quick correction: I'll offer you and any of my future employees \$3,600 USD for kidney or liver living organ donation as detailed before. That's a more religiously salient, significant, and symbolic number tied to the core urgent mission: preserving life compassionately and cost-effectively at an acceptable level of religious and economic sacrifice.

On Tue, Jun 10, 2025 at 1:08 PM David Clayman <david@clayman.org> wrote:

Dear Darcie,

I hope you had a great weekend

I just finished drafting a response to your Motion to Dismiss in the Living and Deceased Organ donor incentives case. Here's what I currently believe I'll be sending off to the Court today via certified mail. If I notice any defects between now and my drive home or make any further changes before printing and sending at the post office, I'll let you know and send an updated file.

For convenience, you can find the 2016 HHS governmental guidelines on the Value of a Quality Adjusted Life Year

here: https://aspe.hhs.gov/sites/default/files/migrated_legacy_files/171981/HHS_RIAGuidance.pdf

Reviewing those 2016 guidelines, given that I'm only seeking \$54,000 ([triple chai](#)) for an expected loss of a QALY half-year or QALY full year, I appear to be objectively selling my statistical lifespan significantly below the government's Health & Human Services prevailing market rate, at any VSL (Value of Statistical Life) common denominator. As the most major market payor, if you'd like the Government to offer altruistic injury-compensation closer to (at less of a shortfall from) the market value of the QALYs that I and other aspiring living donors are open to sacrificing to extend fellow Americans' lives, I'm / we're rational enough to be open to that, subject to Court and/or Congressional supervision, and I personally would plow any such income directly into civic religious causes. Until we actually seek and/or receive compensation *beyond* QALY injury compensation, it's hard to say that we're "selling" our organs. It's only correct to say that we're donating them at a loss. Until we reach and exceed our value of QALY loss, we remain non-profit altruistic donors rather than profiting sellers. Please don't cast us otherwise. I don't think there's anything to be ashamed about in honorably profiting modestly from living or deceased organ donation action, but even at a \$54,000 USD exchange price we're still deep in the territory of the religiously altruistic civic and/or sectarian donation market.

I would also personally extend an irreversible incentive bonus offer to you, Darcie, as an individual, of \$3,000 USD if you follow-through with and effectuate donating a major segment of your liver or your second kidney (assuming you still carry two) by the end of this year, 2025 AD/CE, subject to Court supervision, medical qualification, and judgment that such an offer is legal and constitutionally protected, and not in violation of any other law like the ADA. We can work out the nitty-gritty details if you're interested and the Court allows such an offer to proceed. Obviously, further exploring and accepting such an offer must be accompanied by a clear agreement from the US Attorney's Office not to prosecute me or anyone like me for making such offers to you or any others residing in the United States in the future.

Looking forward to your eventual reply and the Judge's decision.

All the best,

David